

The Honorable Marsha J. Pechman

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

RICHARD O. BUSE,

PLAINTIFF,

V.

FIRST AMERICAN TITLE INSURANCE  
COMPANY, FORECLOSURELINK,  
INC., GREENPOINT MORTGAGE  
FUNDING, INC., MORTGAGE  
ELECTRONIC REGISTRATION  
SYSTEMS, INC., RESCOMM  
HOLDINGS NO. 2, LLC, UM  
ACQUISITIONS, LLC, TOM BLOCK,  
AND DOE DEFENDANTS 1 THROUGH  
20,

DEFENDANTS.

Case No. C-08-0510-MJP

DECLARATION OF MELISSA A.  
HUELSMAN RE: LATE FILING OF  
DOCUMENTS FILED IN SUPPORT OF  
PLAINTIFF RICHARD BUSES RESPONSE  
TO THE MOTION FOR SUMMARY  
JUDGMENT BROUGHT BY  
DEFENDANTS FORECLOSURELINK,  
INC. AND FIRST AMERICAN TITLE  
INSURANCE COMPANY

I, Melissa A. Huelsman, declare:

1. I am the attorney of record for the Plaintiff herein. I have personal knowledge of the facts as stated herein and if called upon to testify to the truth thereof I could and would do so.

2. I had the majority of the pleadings drafted and prepared for filing in response the Motion for Summary Judgment filed by Defendants ForeclosureLink and First American in the

DECLARATION OF MELISSA A. HUELSMAN  
RE: LATE FILING  
CASE NO. 08-0510-MJP - 1

Law Office of Melissa A. Huelsman, P.S.  
705 Second Ave, Ste 501  
Seattle, WA 98104-7044 • Tel: 206.447-0103

1 evening of April 20, 2009. I needed to leave the office at approximately 7:00 p.m. and so I  
2 took the pleadings home with me so that I could file them through ECF from home. When I  
3 left the office, I realized that my Blackberry was missing. I called the telephone number and a  
4 man answered, indicating that he had found my Blackberry at the Bank of America in my  
5 building and he had taken it with him to a check cashing place in downtown Seattle. He agreed  
6 to stay there so I could retrieve it.  
7

8           3. I went to the location to get the Blackberry and found the man had left the  
9 location. I then had to call the police and spent a significant period of time talking to the  
10 police, providing them with information about the man and trying help them locate the man in  
11 downtown Seattle. Eventually the man answered the phone again and told me his new location.  
12 I then had to arrange to meet him in the presence of public safety officers to make certain of my  
13 physical safety. I eventually retrieved my Blackberry safely and went home in order to finish  
14 my work.  
15

16           4. I then finished the work on the pleadings before the end of the night and  
17 prepared to sign onto ECF in order to file them with the Court. It was then that I discovered  
18 that all of my ECF passwords, which have been stored in my Contacts list on Outlook for the  
19 last two years, had been deleted. I have no idea whether this man who took my Blackberry  
20 deleted them thinking that they were passwords for online accounts or whether someone else  
21 deleted them before yesterday. However, I could not file the pleadings because I did not have  
22 the passwords.  
23

24           5. This is the reason for the late filing of the documents and I apologize to the  
25 Court for the delay. As I said, I have had the passwords in my Contacts list for years so that I  
26 could file from home or other locations and have done so on numerous occasions, even filing

1 things recently in other cases from home. I had no idea that the entry had been deleted when I  
2 left my office yesterday evening.

3 This Declaration made under penalty of perjury under the laws of the United States of  
4 America this 21<sup>st</sup> day of April 2009 at Seattle, Washington.

5  
6  
7 /s/ Melissa A. Huelsman  
8 Melissa A. Huelsman, WSBA No. 30935  
9  
10  
11  
12  
13  
14  
15  
16  
17

18 Richard O. Buse hereby affirms under penalty of perjury:

19 That I am the plaintiff in the above-entitled lawsuit to whom these interrogatories are  
20 addressed, and as such am authorized to make this verification; that I have read the foregoing  
21 answers to interrogatories and requests for production of documents, know the contents thereof,  
22 and believe the same to be true.  
23

24 DATED this day of March \_\_\_\_\_, 2009  
25

26 Richard O. Buse

DECLARATION OF MELISSA A. HUELSMAN  
RE: LATE FILING  
CASE NO. 08-0510-MJP - 3

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**DECLARATION OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing was served on the 12<sup>th</sup> day of March, 2009, on the party of record as stated below in the manner indicated:

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*Attorney for Defendants First American Title Insurance Company and Foreclosurelink, Inc.*

I declare under penalty of perjury under the laws of the State of Washington, that the foregoing is true and correct.

DATED at Seattle, Washington on March 12<sup>th</sup>, 2009.

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Monique Lefebvre

DECLARATION OF MELISSA A. HUELSMAN  
RE: LATE FILING  
CASE NO. 08-0510-MJP - 4

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